



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,486	11/20/2001	Reeny T. Sebastian	DP-304592/DE3-0214	9883

7590 03/26/2004

KEITH J. MURPHY
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002

EXAMINER

BROADHEAD, BRIAN J

ART UNIT	PAPER NUMBER
----------	--------------

3661

DATE MAILED: 03/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/989,486

Applicant(s)

SEBASTIAN ET AL.

Examiner

Brian J. Broadhead

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 7-20 is/are rejected.
- 7) ☒ Claim(s) 2-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 1 is objected to because of the following informalities: On the second to last line after "signals", --are-- should be entered. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 7-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoshi et al., US 2001/0004720 A1, in view of Eguchi, 5554969.

4. As per claims 1, 15, 16, 17, 18, 19, and 20, Hoshi et al. disclose receiving a plurality of signals indicative of the rear steering angle in paragraph 20; checking at least one of said plurality of signals to determine if it falls within a valid range in paragraph 20; correlating at least a first signal of the plurality of signals with at least a second signal of said plurality of signals to determine if either said first signal or said second signal is invalid in paragraph 20. Hoshi et al. do not disclose signaling a rejection of any of said plurality of signals is found to be invalid. Eguchi teaches signaling a rejection of any of said plurality of signals is found to be invalid on lines 38-42, on column 2. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the warning means of Eguchi in the invention of Hoshi et al. because such modification would alert the driver to have the system fixed.



5. As per claim 11, Hoshi et al. disclose computing said expected value by evaluating a continuous function in Figure 6A. The expected values are found from previous signals that are stored.
6. As per claim 7, Hoshi et al. disclose calculating a steering angle corresponding to one of said first signal and second signal so as to create a calculated angle in paragraph 22; and computing an expected value of the other of said first signal and said second signal in accordance with said calculated angle in paragraph 22.
7. As per claim 8, Hoshi et al. disclose comparing said expected value of said other of said first signal and said second signal in paragraph 52.
8. As per claim 9, Hoshi et al. disclose determining than any of said plurality of signals is invalid if said expected value and said actual value are not substantially equivalent in paragraph 52.
9. As per claim 10, Hoshi et al. disclose wherein at least one of said calculating and said computing further comprises using a look-up table in paragraph 56.
10. As per claims 12 and 13, Hoshi et al. disclose said plurality of signals comprises a plurality of signal components of a single carrier signal in paragraph 10; providing a single sensor having two signal outputs in paragraph 10.
11. As per claim 14, Hoshi et al. disclose comparing at least one of said plurality of signals with an upper limit and a lower limit in paragraph 56.

Response to Arguments

12. Applicant's arguments with respect to claims 1, and 7-20 have been considered but are moot in view of the new ground(s) of rejection. The argument with respect to

claim 7 is not understood. Hoshi et al. discloses certain voltages for each of the signals that determine what the angle is. When the second voltage doesn't correspond to it expected range or value it is assumed there is an error and the reading are ignored.

Allowable Subject Matter

13. Claims 2-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

14. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record does not disclose comparing said first signal with an expected value at about an inflection point of said second signal.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Broadhead whose telephone number is 703-308-9033. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A. Cuchlinski can be reached on 703-308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Application/Control Number: 09/989,486

Page 5

Art Unit: 3661

BJB

March 11, 2004

A handwritten signature in black ink, appearing to read 'W.A. Cuchlinski, Jr.', written in a cursive style.

WILLIAM A. CUCHLINSKI, JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600